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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,130	03/15/2001	Hiroyuki Horiuchi	HIG05 002	4640

7590 12/02/2003

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EXAMINER	
DICUS, TAMRA	
ART UNIT	PAPER NUMBER
1774	

DATE MAILED: 12/02/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Cl0 16

Advisory Action	Application No.	Applicant(s)	
	09/808,130	HORIUCHI, HIROYUKI	
	Examin r	Art Unit	
	Tamra L. Dicus	1774	

--The MAILING DATE of this communication appears on th cover sheet with the correspondence address --

THE REPLY FILED 13 November 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ they raise the issue of new matter (see Note below);
   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: _____.
3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: _____.
   Claim(s) withdrawn from consideration: _____.
8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: The 103 is maintained for reasons of record. Applicant contests that Umise is used for thermal transfer and not for recording, and doesn't teach statitic or dynamic coefiicients in th range of Applicants. As previously said in the last advisory action, the Examiner does not agree because Umise refers to using the sheet for ink and recording at col. 15, lines 23, 27, and 49. To the static or dynamic cofficients, Umise teaches various comparisons of inks for the backing coatings to the inks used in the recording material layer (see col. 15, lines 19-29) that exhibit several ranges of static and dynamic friction coefficients in Table 8, which includes applicant's claimed range of static and dynamic friction coefficients of 0.1 to 0.7. Applicant further alleges that Umise teaches a transfer sheet and does not teach a recording material, further alleging that the Examiner does not appreciate the significant difference between the two functions. The Examiner thoroughly understands the difference between a transfer, recording, and ink-receiving sheets as the instant claims recite. The Applicant appears to ignore the teachings of Hakamori teaching the recording material with an ink receptive layer and the teaching of Umise to the inks on recording layers teaching the sam friciton cofficients of Applicant as previously set forth. Applicant also discusses the material of recording media e.g. ink ribbons and paper. However, the Applicant never claims any such material. Therefore, the combination provides motivation to produce a recording layer with an ink-receptive layer having various properties as Appilcant claims. Applicant further argues how ink is transferred to an recording material and that the function is to record images. The Examiner used Amagai teaching the very same way and functionality as Applicant argued. The Examiner does not use Umise to teach an ink-receiving layer. There is no misunderstanding as to what Umise teaches as Applicant purports. Yes, Umise teaches a thermal transfer sheet, but it is used to record images, a functionality which Applicant ignores. Again, see Table 8 of Umise teaching recording material ink having the same static and dynamic friction values as Applicant requires. The Examiner need only to provide a prima facie case for obviousness, which was done, and to review Applicant's arguments of nonobviousness. The Applicant has not provided any persuasive arguments or evidence to convience the Examiner otherwise. The Applicant concludes his arguments over Umise by alleging the back coating and recording material layers of Umise are part of a thermal transfer sheet and not an image receiving sheet (recording material) as in the instant claims. Umise teaches an image receiving sheet and the functionality is the same as Applicants. The same field of endeavor is recorded media, as in Applicant's instant claims, not functionality as Applicant contends. As previously set forth, Hamagai does not include statical and dynamical cofficient of friction as instantly claimed, but because Umise provides the conventionality of providing such values for recording media and they are in the same field of endeavor, it is obvious to combine. While the Applicant further alleges Umise is used for thermal transfers and not ink receiving layers, the Exmainer did not use Umise to teach an ink-receptive layer, but used Umise to provide for the requirements as the instant claims required. Further, Hakomori teaches the same materials so the coefficient properties are inherently present. The claims are to a back surface and ink receiving layer observing coefficient of friction values, which the combination provides. The Examiner sees no differences. The 103 combination is proper.

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